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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,833	09/07/2004	Keith Baker	NL 020227	7666

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EXAMINER	
JANKUS, ALMIS R	
ART UNIT	**PAPER NUMBER**
2672	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/506,833	BAKER, KEITH	
	Examiner	Art Unit	
	Almis R. Jankus	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,9 and 10* is/are rejected.

7)☒ Claim(s) *6-8* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 are presented for examination.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Abe et al.

With respect to claim 1, Abe et al. teaches the claimed means for receiving a video stream representing a series of consecutive input images, at figure 12, item 111; where the series of consecutive input images comprising a first image and a second image is inherent in a series of consecutive images, the series of consecutive images being sent by a TV broadcasting station as shown at figure 1, item 12; and a display device for displaying a series of consecutive output images which are based on the series of consecutive input images, characterized in that the image display apparatus is

arranged to split the consecutive input images into respective first parts and respective second parts, at figure 12, item 112 which splits the images into teletext/data (first parts) for display in a blank zone, as shown at figure 13B-13D, the blank zone displaying text; and the second parts corresponding to the proper program presented in the other zone; and to display a first one of the output images comprising a first block of pixels corresponding to the first part of the first input image and a second block of pixels corresponding to the second part of the second input image, at figures 13 B-D and at column 7 lines 50-54.

A series of consecutive input images is organized in a chronological manner such that a second image occurs after a first image. In other words a second image is more recent than the first image. Figure 13B, for example, shows two zones in the output image. The lower zone with the text "TODAY'S WEATHER." Is a blank zone which displays teletext/data from a script (computer program) transmitted from a TV broadcasting station. The script allows for interactivity with a viewer and generates display content which can be executed according to the input operation of the viewer. The blank zone (the first part) may, for example, display a static text/graphics image while waiting for a response from the viewer. Since the "first part" is static it will be the same for the second input image and the first input image. The series of consecutive output images are likewise output in the same chronological sense as the input images. The output images will contain the most recent available information. Therefore, the second input image is closer in time to the first one of the output images than is the first input image. The top part of figure 13B is the main section (second part) where the

proper program is presented, for example, a TV movie. A movie is not static so the second part will change with each consecutive input image of the series of consecutive input images. Since an output image is chronologically closer to the second input image, it would contain the contents of the second part of the second input image because the second part keeps updating/changing with each new input image, i.e., the second part of the second input image is the most recent information to output. However, with the first part being static, it stays the same with each new input image. Therefore, the most recent information in the first part occurred in the first input image – there was no change in the first part at the second input image. Thus, a first one of the output images is displayed comprising a first block of pixels corresponding to the first part of the first input image and a second block of pixels corresponding to the second part of the second input image.

Claim 2 further requires the first parts correspond to respective portions of a banner. Abe et al. teaches this at column 5 line 45 as a sequence of characters. Banners comprise a sequence of characters. Also, at lines 65-66 Abe et al. teaches advertising information.

Claim 3 further requires that the first parts correspond to a subtitle. Abe et al. teaches this at column 13 lines 4-6.

Claim 4 further requires a user interface means to provide location information of the first parts to control splitting of the images of the series of consecutive input images. Abe et al. teaches this at column 9 lines 40-65 with "FIG. 7A shows images that may be displayed on the screen. If the viewer specifies the teletext/data transmission mode by means of the remote control unit 150, an image of characters and graphics as shown in FIG. 7B may be displayed on the entire screen. If he or she then specifies a mixed mode of displaying both the proper program and the characters and graphics of the corresponding teletext/data transmission, images as shown in FIG. 7C may appear on the screen, where part of the characters and graphics being displayed are replaced by the images of the proper program, the remainder being displayed in the upper and lower blank zones. This mixed display mode has the following advantage of showing a catch phrase and the program provider in the blank zones so that the viewer may be induced to select the teletext/data transmission mode to see the image of FIG. 7B if he or she is watching the proper program. Additionally, the image memory for storing characters and graphics may be used in the following way. That is, characters and graphics can be dimensionally enlarged or reduced at will. While FIG. 8A shows the ordinary font size for characters to be displayed in the blank zone, a larger or smaller font may be used for them as shown in FIG. 8B. Additionally, characters and graphics on the blank zones may be scrolled up or down for updating as shown in FIG. 8C", and at column 11 lines 14-51 with "FIG. 13A is a view of the screen of a television receiving set according to the invention, having an aspect ratio of 4:3, when it receives a signal in the letter box format to produce upper and lower blank zones on the screen. Assume that a weather

forecast is being transmitted as a teletext and the viewer selects the ordinary teletext mode. Then, the upper and lower blank zones are put together and placed on the bottom of the screen to move the image of the proper program to the top as shown in FIG. 13D so that a plurality of character lines are displayed for the weather forecast in the unified blank zone. If the viewer selects a character enlarging mode, the characters are enlarged as shown in FIG. 13B. Then, the characters are scrolled laterally to show the full text. Alternatively, the unified teletext may be placed on the top of the screen to push down the image of the proper program. To realize the above display, the teletext/data transmission decoder 141 receives data on the phase of the blank zone from the blank zone location regulating section 302 and determines the timing for producing the data on the characters and graphics to be displayed. More specifically, the CPU 27 shown in FIG. 4 receives a synchronizing signals for displaying images before it recognizes the current status of the screen and, at the same time, it also receives data on the phase of the blank zone to determine the timing for reading the data out of an output memory. An interface is arranged so that the counted number of scanning lines is taken into the data on the phase. The timing for producing signals is determined on the basis of the counted number and the data on the current operational status (data concerning if the upper or lower position is specified for the blank zone) coming from the main controller 151. If the location of displaying characters is predetermined, the timing for producing signals may be determined solely on the basis of the data on the current operational status (data concerning if the upper or lower position is specified for the blank zone) coming from the main controller 151".

Claim 5 further requires a first memory device for storage of the location information. Abe et al. teaches this at column 10 line 66 to column 11 line 13 with "The blank zone location regulating section 302 detects a television signal in the letter box format (signal for providing upper and lower blank zones) and, if it receives a command for combining the upper and lower blank zones and placing them on the top or the bottom of the screen, positionally regulates the blank zones according to the command, using an image memory 303. The signal that has been subjected to this regulation (brightness/color difference signal) is converted into an RGB signal by an RGB converter 311 and then fed to an synthesizing section 312".

Claim 9 is a method claim which corresponds directly with apparatus claim 1. The rationale applied for the rejection of claim 1 applies to claim 9 as well.

Claim 10 further requires a TV comprising an image display apparatus according to claim 1. Abe et al. teaches this at figure 1.

4. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 6, the prior art of record does not fairly teach the claimed motion estimation unit for estimating motion in the first parts; processing means to calculate a time period during which a particular part of the banner moves from a first predetermined location relative to the display device to a second predetermined location relative to the display device; and a selector to select a further one of the first parts of a further input image, on basis of the time period.

Claim 7 depends from claim 6.

With respect to claim 8, the prior art of record does not fairly teach the claimed character analyzer designed to search for textual information in the first parts; and a comparing unit for comparing parts of the textual information with a predetermined string of characters.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R. Jankus whose telephone number is 571-272-7643. The examiner can normally be reached on M-F, 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJ

ALMIS R. JANKUS
PRIMARY EXAMINER